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November 5, 2018

Chairperson and Members of the Historic Preservation Board  
City of Miami Beach  
c/o Mr. Thomas Mooney, Planning Director  
1700 Convention Center Drive  
Miami Beach, FL 33131

**Re: Letter of Intent – Transfer of Conditional Use Permit  
Aiyara, LLC, d/b/a NaiYaRa  
1854 Bay Road, Miami Beach  
PB File No. PB18-0237**

Dear Chairperson and Members:

This law firm represents Aiyara, LLC, d/b/a NaiYaRa ("NaiYaRa"), located at 1854 Bay Road (the "Property") in connection with its application to the Miami Beach Planning Board (the "Planning Board") for review of a transfer of the Conditional Use Permit issued on April 19, 2016 (the "CUP") for the Property in accordance with Condition 2 thereof, which requires Planning Board approval following the transfer of 50% or more of the operating entity's ownership interest. On October 25, 2018, the ownership interest of NaiYaRa was purchased by NaiYaRa Members, LLC, a Florida limited liability company. The beneficial owner of NaiYaRa Members, LLC is Ms. Karla Ortiz, a media and hospitality businesswoman with significant experience operating restaurants in Mexico and across Central America. NaiYaRa's application submitted in connection herewith does not contemplate any modification to the floorplan, occupancy load, or any other operational characteristics of NaiYaRa. Rather, NaiYaRa solely seeks approval of the ownership change in accordance with Condition 2 of the CUP.

As stated above, Ms. Karla Ortiz purchased the ownership interest of NaiYaRa in October of 2018. By way of background, after selling the three locations of her Mexico City-based restaurant, Di Culti, in 2008, Ms. Ortiz began working in the Latin American media industry where she has remained to the present day. By purchasing NaiYaRa, Ms. Ortiz looks to continue to build on the restaurant's already impressive reputation.<sup>1</sup> To that end, the restaurant's day-to-day operations will be taken over by the new general manager, Ms. Sarah Percy. Ms.

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<sup>1</sup> 4.4 / 5 on Google (237 reviews); 4.5 / 5 on Yelp (520 reviews); 4.7 / 5 on OpenTable (768 reviews); and 4.5 / 5 on TripAdvisor (239 reviews).

Percy has significant experience in the hospitality industry, having worked with numerous luxury hotels, restaurants and clubs over the course of her career, including a 3-year role as the manager of STK, located at 2305 Collins Avenue. Between Ms. Ortiz's vision and Ms. Percy's operational experience, NaiYaRa will continue to provide one of the premiere dining experiences found on Miami Beach.

Compliance With Sea Level Rise and Resiliency Review Criteria

As required under the City Code, the Applicant must respond to all sea level rise and resiliency review criteria per Section 133-50 thereunder. The Applicant accordingly re-states its responses below for the overall project, as modified by this application.

- (1) *A recycling or salvage plan for partial or total demolition shall be provided:*

Not applicable.

- (2) *Windows that are proposed to be replaced shall be hurricane proof impact windows:*

Not applicable

- (3) *Where feasible and appropriate, passive cooling systems, such as operable windows, shall be provided:*

Not applicable.

- (4) *Whether resilient landscaping (salt tolerant, highly water-absorbent, native or Florida friendly plants) will be provided:*

Not applicable.

- (5) *Whether adopted sea level rise projections in the Southeast Florida Regional Climate Action Plan, as may be revised from time-to-time by the Southeast Florida Regional Climate Change Compact, including a study of land elevation and elevation of surrounding properties were considered:*

Not applicable.

- (6) *The ground floor, driveways, and garage ramping for new construction shall be adaptable to the raising of public rights-of-ways and adjacent land:*

Not applicable.

- (7) *Where feasible and appropriate, all critical mechanical and electrical systems shall be located above based flood elevation:*

Not applicable.

(8) *Existing buildings shall be, where reasonably feasible and appropriate, elevated to the base flood elevation:*

Not applicable.

(9) *When habitable space is located below the base flood elevation plus City of Miami Beach Freeboard, wet or dry flood proofing systems will be provided in accordance with Chapter 54 of the City Code:*

Not applicable.

(10) *Where feasible and appropriate, water retention systems shall be provided:*

Not applicable

Accordingly, we respectfully request your approval of the application. Thank you.

Sincerely,

Shutts & Bowen LLP

A handwritten signature in blue ink, appearing to read 'Alexander I. Tachmes', with a stylized flourish at the end.

Alexander I. Tachmes, Esq.

AIT/sm